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15
16 **UNITED STATES DISTRICT COURT**

17 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

18 United States of America,

19 Plaintiff,

20 vs.

21 Twitter, Inc.,

22 Defendant.

Case No. 3:22-cv-3070-TSH

**DECLARATION OF DANIEL R.
KOFFMANN IN SUPPORT OF X
CORP.'S REPLY IN SUPPORT OF
MOTION FOR PROTECTIVE ORDER &
RELIEF FROM CONSENT ORDER**

Hearing Date: November 16, 2023

Hearing Time: 11:00 AM

Hearing Location: Courtroom E, 15th Floor
450 Golden Gate Avenue
San Francisco, CA

The Hon. Thomas S. Hixson

DECLARATION OF DANIEL KOFFMANN

I, Daniel R. Koffmann, pursuant to 28 U.S.C. § 1746 and upon penalty of perjury, declare as follows:

1. I am a partner with the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for X Corp., successor in interest to Defendant Twitter, Inc. I am a member in good standing of the Bar of the State of California. I make this declaration based on personal knowledge and, if called as a witness, I could and would testify competently to the matters set forth herein. I make this declaration in support of X Corp.'s Reply in Support of Motion for Protective Order and Relief from Consent Order.

2. ***Attachments:*** Attached as Exhibit 21 is a true and correct excerpted copy of FTI Consulting's cybersecurity assessment of X Corp. for the period of May 26, 2022, through May 25, 2023.

3. Attached as Exhibit 22 is a true and correct copy of the FTC's Order on Petitioner's Motion to Quash, Amazon.com. Inc., FTC Matter No. 212 3050, dated September 21, 2022.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: October 11, 2023.

/s/ Daniel R. Koffmann
Daniel R. Koffmann

ECF ATTESTATION

I, Alex Spiro, am the ECF User whose ID and password are being used to file this Declaration in Support of X Corp.'s Reply in Support of Motion for Protective Order & Relief From Consent Order. In compliance with Civil Local Rule 5-1(h)(i)(3), I hereby attest that Daniel R. Koffmann, counsel for X Corp., has concurred in this filing.

DATED: October 11, 2023

/s/ Alex Spiro
Alex Spiro